

September 27, 2018

ENERGY & ENVIRONMENT COMMITTEE  
REPORT NO. 13

ALL MEMBERS PRESENT.

1. COMM. 17E-14 (2018)  
**COUNTY EXECUTIVE**

WHEREAS, the Erie County Department of Environment and Planning (DEP) has played a crucial role in water quality issues throughout the region for decades and continues to lead and manage many initiatives that protect and preserve our natural water resources; and

WHEREAS, DEP is committed to coordinate, oversee, and support work towards the delisting of the Buffalo River as a Great Lakes Area of Concern (AOC); and

WHEREAS, the United States Environmental Protection Agency (USEPA) Great Lakes Restoration Initiative provides grant assistance to municipalities to implement projects to improve the quality of the Great Lakes; and

WHEREAS, DEP provides technical assistance regarding the management of the Erie County Natural Habitat Parks; and

WHEREAS, the USEPA approached DEP to apply for the USEPA’s Great Lakes Restoration Initiative funding for continuing local coordination of the Buffalo River Remedial Action Plan (RAP) and implementing and protecting habitat restoration projects; and

WHEREAS, Buffalo Niagara Waterkeeper through their past experience successfully managing and coordinating the Buffalo River RAP was identified in the USEPA approved work plan as a Sub-Awardee to Erie County to provide these professional services; and

WHEREAS, additional professional services will be utilized for competitive bidding of invasive species management and maintenance; and

WHEREAS, the USEPA awarded Erie County a Great Lakes Restoration Initiative of \$552,590 to complete a one-year Erie County Buffalo River RAP Project Management Project, the second year of a two-year grant commitment; and

WHEREAS, a 23.26% local match is required and will be provided by Erie County DEP staff in-kind; and

WHEREAS, the addition of this Buffalo River AOC RAP Coordination initiative necessitates the execution of a contract with the USEPA and Buffalo Niagara Waterkeeper; the adoption of a grant budget; the continuation of a Senior Environmental Compliance Specialist (JG-12) position General Maintenance Crew – Parks (JG-3) position under SAP 162BUFRIVERRAP1819.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive or the Deputy County Executive is hereby authorized to execute the necessary agreements to accept a grant of \$552,590 from the United States Environmental Protection Agency (USEPA) for the purpose of establishing a one-year Erie County Buffalo River Remedial Action Plan (RAP) Project Management grant, the second year of a two-year grant commitment; and be it further

RESOLVED, that the County Executive or the Deputy County Executive is hereby authorized to execute the necessary agreements to contract with Buffalo Niagara Waterkeeper for a sub-award not to exceed \$150,000 from the USEPA for the purpose of managing the Buffalo River RAP, coordinating the Remedial Action Committee and Area of Concern (AOC) delisting documents; and be it further

RESOLVED, that the grant budget and project period for the USEPA Great Lakes Restoration Initiative grant is hereby created in the Department of Environment and Planning, Business Area 162, as follows:

Erie County Buffalo River RAP Project Management  
SAP Grant Account #162BUFRIVERRAP1819  
October 1, 2018 – September 30, 2019

<u>REVENUE</u>		
<u>Account</u>	<u>Description</u>	<u>Amount</u>
414000	Federal Aid Revenue	\$552,500
<b>TOTAL REVENUE</b>		<b>\$552,590</b>

APPROPRIATIONS

<u>Account</u>	<u>Description</u>	<u>Amount</u>
500000	Full Time Salaries	\$ 75,600
502000	Fringe Benefits	\$ 56,700
510100	Out of Area Travel	\$ 2,200
505000	Office Supplies	\$ 1,000
510200	Meetings & Trainings	\$ 1,500
506200	Maintenance & Repair	\$ 2,000
516020	Professional Services	\$340,590
916400	ID Parks Services	<u>\$ 73,000</u>
TOTAL APPROPRIATIONS		\$552,590

and be it further

RESOLVED, that the following position will be funded within the Buffalo River RAP Project Management grant 162BUFRIVERRAP1819, Business Area 162, Fund 281:

Senior Environmental Compliance Specialist (JG-12)  
B-100 # 9515, Budgeted Annual Salary: \$75,600

and be it further

RESOLVED, that the following position, which will be 100% reimbursed via ID billing under this grant 162BUFRIVERRAP1819, in the Department of Parks, Recreation and Forestry, Business Area 164, Fund 110 for the duration of the grant commitment:

Park Maintenance Worker II - Group 5  
B-100 #9821, Budgeted Annual Salary: \$42,977

and be it further

RESOLVED, that the 2018 Operating Budget for the Department of Parks, Recreation and Forestry be adjusted as follows:

2018 Budget  
Funds Center 16410, Fund 110

APPROPRIATIONS

<u>Account</u>	<u>Description</u>	<u>Amount</u>
500000	Full Time Salaries	\$15,000
502000	Fringe Benefits	\$9,334
916400	ID Parks Services	<u>(\$24,334)</u>
TOTAL APPROPRIATIONS		\$0

and be it further

RESOLVED, that the Director of the Division of Budget and Management is hereby authorized to implement any budget adjustments for 2018 and 2019 as required to comply with State and local funding requirements; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive; the Director of the Division of Budget and Management; the County Attorney; the County Comptroller; Thomas R. Hersey, Jr., Commissioner of Environment and Planning; Daniel Rizzo, Commissioner of Parks and Recreation; and Bonnie Lawrence, Deputy Commissioner of Environment and Planning. (5-0)

2. COMM. 17E-16 (2018)  
**COUNTY EXECUTIVE**

WHEREAS, the real property at 36 Michael Anthony Lane in the Town of Lancaster was purchased by the County of Erie to facilitate construction of the Aurora North Pumping Station Elimination Sanitary Sewer Project; and

WHEREAS, all construction related to this project has been completed and all associated contracts have been closed out; and

WHEREAS, the real property at 36 Michael Anthony Lane is no longer necessary for public use; and

WHEREAS, the Erie County Lands Advisory Review Committee deemed the real property at 36 Michael Anthony Lane as surplus to allow for sale (ARC-17-9) at its October 26, 2017 meeting.

NOW, THEREFORE, BE IT

RESOLVED, that the County of Erie be authorized to sell the real property at 36 Michael Anthony Lane in the Town of Lancaster to the highest responsible bidder after public advertisement through the Division of Purchase or its contracted auction vendor; and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute a contract of sale to the highest bidder, and any documents necessary to close the sale transaction, for the real property at 36 Michael Anthony Lane in the Town of Lancaster, subject to approval as to form by the County Attorney; and be it further

RESOLVED, that the Comptroller is authorized and directed to return any and all proceeds, after payment of applicable closing and associated costs, to Erie County Sewer District No. 4 Capital Project C.00072 for the sale of the property at 36 Michael Anthony Lane in the Town of Lancaster; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send one (1) certified copy each to the County Executive, the Director of Budget, Management and Finance, the Erie County Comptroller, and Kristen Walder, Assistant County Attorney; and two (2) certified copies of this resolution to Joseph L. Fiegl, P.E., Department of Environment and Planning.  
(5-0)

**JOHN BRUSO**  
**CHAIR**